

Remarks

Applicant has carefully studied the non-final Examiner's Action mailed 07/15/2003, and all references cited therein. The amendment appearing above and these explanatory remarks are believed to be fully responsive to the Action. Accordingly, this important patent application is now believed to be in condition for allowance.

Applicant responds to the outstanding Action by numbered paragraphs that correspond to the paragraph numbering employed by the Office, to ensure full response on the merits to each finding of the Office.

Claim Rejections – 35 U.S.C. § 112

1. Claim 1 stands rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Specifically, claim 1 is deemed indefinite because it does not set forth actually positioning the toric back mold on the gasket. Nor is it recited that the back mold is attached to the carrier ring. This ground of rejection is met by carefully amending claim 1 to recite that the carrier ring is secured to the toric back mold and that the carrier ring is positioned into abutting relation to the gasket. Accordingly, claim 1 as currently amended now makes it clear how the back mold participates in forming the cavity.

Claim Rejections – 35 USC § 103

2. Applicant acknowledges the quotation of 35 U.S.C. § 103(a).

Claims 1-4 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Reiterman in view of the admitted prior art as depicted in Applicant's Figure 1. Reconsideration and withdrawal of this ground of rejection is requested for the following reasons.

Applicant provides and claims a gasket having a radially-inwardly extending annular wall 52 on opposite sides of which is formed a first flat step 54 and a second flat step 56. A flat carrier ring formed integrally with or fixedly secured to a toric mold is disposed in abutting engagement to the second flat step. In this way, the toric surface of the back mold can be made in many different configurations but the flat carrier ring will always abuttingly engage the flat second step without regard to the configuration of the toric surface. Thus, one gasket may be used with an infinite number of toric molds of differing configurations if each of said molds includes the novel carrier ring.

The issue, then, is whether or not Reiterman discloses or suggests a gasket having an annular, radially-inwardly extending wall that defines a first flat step and a second flat step and

whether or not Reiterman discloses a toric mold having a carrier ring integrally formed therewith or fixedly secured thereto that includes a flat peripheral edge that abuttingly engages the second flat step provided by such a gasket.

Reiterman does not disclose a gasket having an annular, radially-inwardly extending annular wall within which is formed a first flat step and a second flat step on opposite sides thereof. Nor does Reiterman disclose a toric mold having a carrier ring having a flat peripheral edge that abuttingly engages the flat second step.

Thus, Reiterman cannot be combined with the admitted prior art to suggest the claimed invention. The admitted prior art clearly teaches that the surface of the annular, radially-inwardly extending wall that abuts a toric mold must also be of toric configuration. Applicant's novel gasket provides no toric surface to abut the toric surface of the toric mold.

Just as importantly, Reiterman provides no gasket having an annular, radially-inwardly extending wall having flat surfaces formed in its opposite sides, as mentioned above, nor does Reiterman provide a toric mold having a carrier ring having a flat peripheral edge that abuttingly engages said second step, as also mentioned above.

Reiterman discloses a toric lower mold member 11 having a rigid reinforcing ring 18 wrapped about its periphery. Ring 18 is seated within "inwardly opening groove 25" (col. 3, line 38) formed in gasket ring 13. Upper mold member 12 is supported by sealing lip 38 and makes a "continuous line contact" (col. 3, line 61) therewith. Lip 38 therefore cannot fairly be compared with flat step 24 of the admitted prior art. The issue to be resolved, however, is whether or not Reiterman suggests Applicant's gasket 50 having radially-inwardly extending annular wall 52 having first and second flat steps 54 and 56 formed therein on opposite sides thereof and Applicant's flat carrier ring 48 (Fig. 2) that abuttingly engages Applicant's flat second step 56 (Fig. 3). Applicant's admitted prior art merely admits that it is known to have a toric mating surface 34 (Fig. 1) to mate with a toric surface 28 (Fig. 1). Reiterman recites in column 4, lines 17-28, as follows:

A gasket ring 13 selected for use in a particular molding operation is similarly cleaned, inspected and then assembled about ring 18. As the lower wall or bead 29 of the gasket is pressed over the lower end of the ring 18, sealing lip 27 is lightly preloaded against the upper end of the ring thereby safeguarding against the possibility of a portion of the charge escaping from the mold cavity between the exterior of ring 18 and the surface of groove 25. If a

toric lower mold member 11 is being used surface 28 of the gasket has a snug fit with the adjacent periphery of the mold member and cooperates with lip 27 in providing a highly effective seal.

Rigid reinforcing ring 18 of Reiterman is not the equivalent of Applicant's radially-inwardly projecting wall 52 having said flat steps 54, 56 formed therein. Instead of radially-inwardly projecting annular wall 52 as disclosed by Applicant, Reiterman discloses radially-outwardly projecting groove 25 (called by Reiterman "inwardly opening groove 25"). The word "inward" is with respect to gasket 13, i.e., the recess is formed *in* said gasket. This teaches away from Applicant's gasket where annular wall 52 projects inwardly from the gasket, not radially-outwardly into the gasket as clearly depicted by Reiterman. In other words, "inwardly opening groove 25" is more accurately described as extending radially outwardly with respect to mold 11 and radially inwardly with respect to gasket 13. This is clearly a structure not employed by Applicant.

Applicant's steps 54, 56 extend radially-inwardly from gasket 50 and are formed integrally with said gasket 50. In sharp and distinctive contrast, if Reiterman can be characterized as having any flat steps at all, said flat steps would have to be either 1) the top and bottom surfaces of "inwardly opening groove 25" (which "steps" are not abutted by a carrier ring or any part of mold 11, but are abutted by reinforcing ring 18) or 2) the top and bottom surfaces of reinforcing ring 18, which "steps" are abutted only by gasket 13.

Nor can it be said in fairness to Applicant that reinforcing ring 18 suggests a carrier ring having a flat surface for butting against a flat surface formed in a radially-inwardly extending annular wall of a gasket as claimed by Applicant. Gasket 13 clearly has no radially-inwardly extending annular wall (groove 25 being a recess formed in gasket 13, not a protuberance). Lacking a radially-inwardly extending wall such as wall 52, Reiterman can have no flat surfaces such as flat steps 54 and 56 formed on top and bottom surfaces thereof against which a flat carrier ring could abut.

The Office contends that reinforcing ring 18 is the equivalent of carrier ring 48. It has already been observed that said ring cannot abut a flat step of a radially-inwardly extending wall because Reiterman provides no such wall. Perhaps even more importantly, the Reiterman structure requires that upper side wall 26 of groove 25 be disposed at an angle so that the flat

surface of ring 18 cannot abut against it. This clearly teaches away from Applicant's contribution. As recited in col. 3, lines 40-44:

The upper side wall of groove 25 is inclined acutely to end surface 19 of rigid ring 18 thereby providing a sharp-edged sealing lip 27 at the merger of the groove side wall with the overlying interior side wall 28 of the gasket ring.

The significance of this acute incline is disclosed in col. 4, lines 63-69:

Additionally, and importantly, the thin flexible nature of lips 27 and 38 as well as the upper half of the gasket ring as a whole readily accommodates shrinkage of the plastic charge without introducing stresses or strain in the charge of (sic: or) distortions in the surfaces in contact with either of the optical surfaces 15 and 16.

Thus it is understood that the acute incline creates a lip 27 similar to sealing lip 38 that has a continuous line contact with the optical surface 16 of the upper mold member as quoted above. It cannot be concluded in fairness to Applicant that a reference that teaches the juxtaposition of a flat reinforcing ring and an acute incline to form a lip for making a continuous line contact would have suggested the juxtaposition of two un-inclined flat surfaces (48 and 56) as taught by Applicant.

Applicant is the first to form a flat carrier ring 48 integrally with a toric mold and to provide a gasket having a radially-inwardly extending annular wall 52 having a flat step 56 against which the flat carrier ring is abuttingly engaged. The Reiterman structure, as has been carefully denoted, provides no such structure. Thus, no combination of the admitted prior art and Reiterman can render obvious the content of claim 1 as currently amended. The amendments to claim 1 are not needed to distinguish over the combination of Reiterman and the admitted prior art but are made merely to clarify the language of the claim.

Independent claim 2 is in condition for allowance over Reiterman and the admitted prior art for the same reasons as claim 1.

Applicant acknowledges that claim 3, drawn to the embodiments of Figs. 10 and 11, is almost suggested by Reiterman. In the structure of said Figs. 10 and 11, radially-outwardly extending projections 87 and 97, respectively, could be deemed suggested by reinforcing ring 18 and recesses 86, 96 formed in gaskets 82, 92, respectively, could be deemed suggested by groove 25 of Reiterman. However, as already noted, Reiterman teaches away from a seal caused by full contact of projections 87 and recess 86 (Fig. 10) or by full contact between projections 97 and

recesses 96 (Fig. 11). Instead, Reiterman teaches an acute incline in the recesses so that a lip that makes continuous line contact is formed as noted above. (The line contact allows excess plastic to escape from the cavity during curing). Thus, Reiterman teaches away from the structure recited in independent claim 3 and thus said claim is also in condition for allowance.

Claim 4 depends from independent claim 1 and therefore is allowable as a matter of law upon allowance of said claim 1.

3. If the Office is not fully persuaded as to the merits of Applicant's position, or if an Examiner's Amendment would place the pending claims in condition for allowance, a telephone call to the undersigned at (727) 507-8558 is requested. Applicant thanks the Office for its careful examination of this important patent application.

Very respectfully,
SMITH & HOPEN

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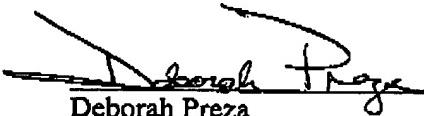
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CERTIFICATE OF FACSIMILE TRANSMISSION

(37 C.F.R. 1.8(a))

I HEREBY CERTIFY that this Amendment A, including Introductory Comments, Amendments to the Claims, and Remarks, is being transmitted by facsimile to the United States Patent and Trademark Office, Art Unit 1732, Attn: Mr. Mathieu D. Vargot, (703) 872-9310 on October 14, 2003

Dated: October 14, 2003


Deborah Preza